

U.S. Patent Appln. No. 10/502,136
Amendment
Reply to Office Action dated October 21, 2005

Docket No. 9425-4

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated October 21, 2005. This amendment is timely filed.

At the time of the Office Action, claims 1-12 were pending in the application. In the Office Action, claims 1-5 and 9-12 were rejected under 35 U.S.C. §112, second paragraph. Claims 10 and 12 were rejected under 35 U.S.C. §103(a). Claims 6-8 were allowed. Claims 3 and 11 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. The rejections are set forth in more detail below.

I. Rejections under 35 U.S.C. §112, second paragraph

Claim 1-5 and 9-12 rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The multiple use of the phrase "and/or" was asserted to render the claims indefinite. Claims 3 and 11 are amended herein, and withdrawal of this rejection is thus respectfully requested.

II. Rejections on Art and Allowed Subject Matter

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,112,700 to Brewer ("Brewer") in view of U.S. Patent No. 5,197,409 to Hammond. Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brewer in view of U.S. Patent No. 6,327,997 to Terry et al.

Claims 3 and 11 were indicated to be allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph rejections and to include all of the limitations of the base claim and any intervening claims. Claims 6-8 were allowed.

Although applicant disagrees with the rejection, in the interests of obtaining a speedy allowance, claim 3 is rewritten in independent form herein, and has made claims 2 and 4 dependent thereon. Claim 11 is also rewritten in independent form. Claims 1, 5, 9-10 and 12-18 are cancelled.

U.S. Patent Appln. No. 10/502,136
Amendment
Reply to Office Action dated October 21, 2005

Docket No. 9425-4

III. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

Date: 1-20-06

J. Rodman Steele, Jr.
Registration No. 25,931
Mark D. Passler
Registration No. 40,764
AKERMANTENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 9425-4